



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 026-18
1936 CASTILLO STREET
MODIFICATION
JUNE 20, 2018

APPLICATION OF STEVE HAUSZ, ARCHITECT, FOR NATHAN VONK AND ERIN SMITH, 1936 CASTILLO STREET, APN 025-352-001, R-MH ZONE (RESIDENTIAL MULTI-UNIT AND HOTEL), GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) (MST2018-00183)

The 5,580 square-foot site is currently developed with a single family dwelling, attached one-car garage, accessory room attached to the garage, "as-built" 234 square foot deck with "as-built" overhead trellis, and a detached storage shed. The proposed project involves demolition of the "as-built" overhead trellis, detached storage shed, and attached accessory room, legalization of the "as-built" deck, and construction of 223 square foot (net) addition consisting of a bedroom, bathroom, and laundry area.

The project would abate all violations listed in ZIR2011-00165.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is:

1. Open Yard Modification to allow the reduction of the existing non-conforming open yard (SBMC §30.165.100 and SBMC §30.250.030.B).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities) and 15305 (Minor Alterations in Land Use Limitations).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 13, 2018
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the subject application, making the following findings and determinations:

The Open Yard Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement a lot with constrained physical characteristics (two 10'-0" front setbacks). The proposed residential addition resulting in a reduction in the non-conforming open yard is appropriate because the remaining open yard area will still remain a functional space and meets the dimension, square footage, and location requirements for a reduction to designated non-conforming open yard pursuant to SBMC

30.165.100. The proposed addition is modest in size, resulting in development that is approximately 67% of the maximum floor-to-lot area ratio for a lot of this size, provides appropriate amenities for the existing dwelling (laundry, bedroom, and a bathroom), and respects the required setbacks for the R-MH zone.

II. Said approval is subject to the following conditions:

- A. Designate the approved nonconforming open yard on the plan submitted for a building permit. The nonconforming open yard shall first include the areas indicated as “Open yard part A,” “Open yard part C” and then “Open yard part B” until the square footage provided meets the required 1,250 square feet in area.
- B. ***Archaeological Resources Contractor Notification.*** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

This motion was passed and adopted on the 20th day of June, 2018 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.



Krystal M. Vaughn, Staff Hearing Officer Secretary Date 6/20/2018

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
5. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire three (3) years from the date of the approval, per SBMC §30.205.120, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.

